

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF CASE

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SHANNEN SYDNOR,

Docket No.: 08 Civ. 2417 (KMK)

Plaintiff,

NOTICE OF
VOLUNTARY
DISMISSAL

-against-

AVET COACH CORP. and HARVEY N.
GOLDBERG,

Defendants.
-----X

I, Plaintiff, SHANNEN SYDNOR, appearing *pro se*, hereby file, pursuant to F.R.C.P. Rule 41(a)(1)(A), this Notice of Voluntary Dismissal of the above-captioned action only as against defendant AVET COACH CORP., without prejudice, subject to Federal Rules of Bankruptcy Procedure §108(c).

Defendant AVET COACH CORP., who filed for Chapter 11 bankruptcy on November 16, 2007, has not answered as this action against the corporation is stayed, pursuant to Section 362(a)(1) of the Bankruptcy Code.

Defendant GOLDBERG has not answered in this action, and his answer is due on or before August 15, 2008, pursuant to the July 16, 2008 Order of Hon. Kenneth M. Karas.

Dated: New Rochelle, New York
August 5, 2008

Respectfully Submitted

By: 

SHANNEN SYDNOR
Plaintiff *pro se*
47 Riverdale Avenue, Apt. A-613
Yonkers, New York 10701

To: Hon. Robert D. Drain, U.S.B.J.
United States Bankruptcy Court,
Southern District of New York
One Bowling Green
New York, New York 10004

Kim R. Lynch, Esq.
FORMAN HOLT ELIADES & RAVIN LLC
Attorneys for Debtor-AVET
80 Route 4 East
Paramus, New Jersey 07652
(201) 845-1000

AFFIRMATION OF SERVICE BY MAIL

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS.:

PAULA JOHNSON KELLY, an attorney admitted to practice in the State of New York, and before the District Courts for the Southern and Eastern Districts, affirms under penalty of perjury:

That I am not a party to the action, am over 18 years of age and reside in New Rochelle, New York.

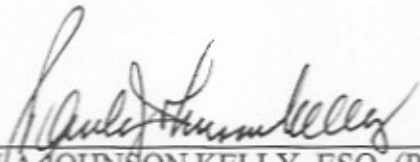
That on August 7, 2008, I served the annexed PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL upon:

Hon. Robert D. Drain, U.S.B.J
United States Bankruptcy Court,
Southern District of New York
One Bowling Green
New York, New York 10004

Kim R. Lynch, Esq.
FORMAN HOLT ELIADES & RAVIN LLC
80 Route 4 East
Paramus, New Jersey 07652

the addresses designated by said parties for that purpose, by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in a official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: August 7, 2008


PAULA JOHNSON KELLY, ESQ. (PJK 8889)